

MINUTES OF THE REGULAR BUSINESS MEETING OF THE GRANTSVILLE CITY COUNCIL HELD APRIL 4, 2007 AT THE GRANTSVILLE CITY HALL.

Mayor and Council Present: Mayor Byron Anderson; Council Members, Robin Baird, Wayne Butler, Brent Marshall, and Paul Rupp.

Appointed Official and Employees Present: City Recorder Wendy Palmer, Attorney Ronald Elton, Gary Fawson and Garry Bolinder, Planning Commission Members.

Citizens and guests present: Karen Hunt (press), Mr. & Mrs. Dale Erickson, Mr. & Mrs. Glen Pearce, Janice Marriott, Iso Vernon, Dolene Pitt, Mr. & Mrs. Randy Sloan, Bonnie Gardner, David Fawson, Mr. Peasnall, Jake Jolley, Darrin Sheffield, Don Lilyquist, Paul Southwick, Travis and Mrs. Shores, Troy Johansen, Bart Hamatake, Josh Henwood, Carma Jackson, Cory & Colleen Brunson, Ryan Briggs.

PUBLIC HEARINGS:

- a. **Consideration of zone change of (20) acres of Land for Ken Hale at Approx. 490 E. Nygreen Street to go from RR-5 to RR-1.** Mayor opened the public hearing on the proposed zone change request. No Comment being offered, Mayor closed the public hearing at 7:01 p.m.
- b. **Consideration of concept plan for eleven (11) lots Hale's Estates Subdivision at the Corner of Hale and Pear Streets for Eugene and Beth Marshall** Mayor opened the public hearing on the proposed subdivision. No Comment being offered, Mayor closed the public hearing at 7:02 p.m.
- c. **Considerations of zone change from A-10 to RR-1 for Kakland Utah Holdings for 34.315 acres north of North Street on the East Side of Burmester Rd. .** Mayor opened the public hearing on the proposed zone change request. No Comment being offered, Mayor closed the public hearing at 7:03 p.m.
- d. **Considerations of zone change from A-10 to RR-1 at 350 N. Hale – Joshua Henwood.** Mayor opened the public hearing to receive comment on the proposed zone change. Petitions were presented and will be attached to the final minutes.

Colleen Brunson at 530 N. Hale Street – Ms. Brunson stated that the Engineer and the Planner both recommended against this zone change. Ms. Brunson was concerned about the safety of the children at bus stops if there was more traffic. Ms. Brunson stated that big trucks turn down this road trying to get to Burmester Road. Ms. Brunson also informed the Council that Ruth Anderson submitted for a zone change from A-10 to RR-2.5 zone straight through the block and the Planning Commission rejected that application. She expressed confusion as to why they approved the RR-1 zone one block away on her street.

Dale Ericksen – 526 N. Hale Street Mr. Ericksen expressed his concern that adding 40 more homes in this area would over tax the road and sewer. There is poor water pressure and small natural gas line. Mr. Ericksen stated that in his opinion one acre lots are too small for animals and should not be approved. It will turn the area into a weed patch or cars on jacks.

Randy Sloan at 490 N. Hale. Mr. Sloan told the Council that his basement as been flooded in the past and the water pressure is terrible now. Are these new homes going to tap into his line?

Bonnie Gardner – 300 N. Hale commented that she was concerned that the road would go to her fence line and she would have traffic at her property line.

Mayor asked for any further comment. No further comment being offered the Mayor closed the public hearing at 7:10 p.m.

e. Consideration of PUD /concept for Maverick and RM-15 827 E. Main Street:

Mayor opened the public hearing to receive comment on the proposed PUD. Petitions were presented and will be attached to the final minutes.

Peggy Pearce read a letter that was written by Jeanne Johnson who lives at 48 S. Eastmoor drive. Mrs. Johnson was opposed to the Maverick locating at 800 East Main Street. The main reason is that this is a residential neighborhood. She was concerned about safety issues. She said that the Transcript Bulletin did an article stated that the city is not interested in installing sidewalks in this area. This establishment will be opened 24 hours a day and people that go to the Maverick will be drinking and driving. Mrs. Johnson's letter continued with the statement that a 12 year old boy was hit and killed by a drunken driver and this will happen again if we allow the Maverick to locate here. This is a society of throwaway children and these children will be hanging out at the Maverick. There is a School bus stop close to the corner of the property and these children will be at risk of being hit by a car. She said the Mayor and Council's responsibility is to the community and not to the possible tax revenue. Don't let this happen on your watch. Then ask yourself why you approve the Maverick. If the Council has love and concern for our community you will not approve the Maverick.

Dave Fawson 781 E. Main- Mr. Fawson stated that he moved his family to Grantsville 26 years ago. Mr. Fawson stated that he lived in Sandy with his wife and six children. There was a 7-11 at the end of the street and his oldest daughter Julie walked to the 7-11. A stranger approached her on her way to the 7-11 and she ran. We were lucky that she wasn't abducted. We don't want to see the same thing happen here in Grantsville. Mr. Fawson opposed any type of 24 hours business.

Doriann Hall- 107 S. SR112 – Mrs. Hall expressed her concern that the increase in traffic that the Maverick will bring will make it impossible for her and her family to pull out of their home. Mrs. Hall hoped that the Council would weigh the comments from the residents that live closest to the proposed Maverick Store. Mrs. Hall stated that she moved to Grantsville 12 years ago and felt that she had chosen the ideal area. She moved from West Valley City. Mrs. Hall expressed her concern for her safety in her home. She stated that she was scared to death to be in her home alone at night.

Garry Bolinder – 125 S. Eastmoor- Mr. Bolinder stated that he lives within two houses of Mrs. Johnson and he asked the question “ If there is a better place for the Maverick- tell me where”. He said Grantsville City needs business and growth and homes don't pay for that. Traffic is increasing in every part of the city.

Darrin Sheffield- 113 S. SR 112 – Mr. Sheffield stated that it is bad enough that the stoplight will be installed on this corner. He said the Maverick and a stoplight will create bigger problems. I am concerned with my kids' safety and family safety. This is my top priority.

Don Lilyquist- Developer of Maverick. Mr. Lilyquist stated that Maverick does not import bad people. The customers that will be using the store will be the people that are currently living in your community. Mr. Lilyquist stated that the Maverick on SR36 does not cause traffic accidents on SR36. The proposed Grantsville Maverick will be on a lighted intersection with a signal. This should make traveling very safe in this area. Mr. Lilyquist stated that it is Maverick's intention to complement the gateway to the City by having their store constructed to a rural/western style.

Glean Pearce- 112 South SR 112 - Mr. Pearce was concerned about the traffic that NASCAR will bring when the Larry Miller Raceway sponsors those races. Mr. Pearce asked if the Maverick is putting sidewalks on Main Street.

Public hearing closed at 7:25 p.m.-

- f. **Consideration of proposed amendment to Section 21.4.5(2) (subdivisions) to increase the amount time from fourteen (14) to twenty-one (21) days for the setting of pre-design conference following submittal of preliminary plat. .** Mayor opened the public hearing on the proposed Zone Code amendment request. No Comment being offered, Mayor closed the public hearing at 7:27 p.m.
- g. **Consideration of proposed amendment to Chapter 16 of the Zoning Ordinance-use table to allow storage units in the CN zone.** Mayor opened the public hearing on the proposed Zoning Code Amendment request. No Comment being offered, Mayor closed the public hearing at 7:28 p.m.

APPROVAL OF MINUTES: Wayne made the motion to approve the minutes of the previous meeting March 21, 2007. Brent seconded the motion. All voted in favor, motion carried

DOLENE PITT-PRESENTATION TO COUNCIL ON JUVENILE

RECEIVING PROGRAM: Mrs. Pitt explained to the Mayor and Council that a committee of volunteers has secured a grant to help purchase the Old J.C. Penney building in Tooele for the purpose of handling juveniles that are picked by the police departments in the County. Mrs. Pitt informed the Council and Mayor that over 300 children from Tooele County are transported to the Salt Lake City Juvenile Receiving center a year. Many of the Police Departments doesn't transport the kids unless the crimes are pretty serious because it is 2-3 hours of an officers day that they are out of their community. Some communities only have one or two officers on at a time so they don't like to leave their communities. So the 300 number could easily be double. Mrs. Pitt stated that Tooele County Sheriff, Valley Mental Health, DCFS, The Tooele County Court System, Tooele County Commissioners, and the Tooele County School District are all very supportive of the new Receiving Center. Mrs. Pitt is seeking the moral support from Grantsville City. Council and Mayor expressed their support.

TITAN HOLDINGS – RECOVERY RIGHT REQUEST: Brent made the motion to table this issue until the Public Works Director and City Engineer can review the recovery right request for the improvement of Cranberry Street and water and Sewer. Paul seconded the motion. All voted in favor, motion carried.

SIDEWALK ISSUE FOR BLAKE MOUNTAIN PHASE II – TRAVIS

SHORES: Mr. Shores addressed the Council stating that the gravel sidewalk requirement is not working out for Blake Mountain Subdivision property owners. Travis stated that he felt that the gravel was not a good surface for a sidewalk because the gravel will be spread into their lawns and eventually will be overgrown with grass and weeds. Mr. Shores presented a petition of the property owners in Blake Mountain Subdivision II that would like to have the sidewalk requirement removed from the requirement for the subdivision. Attorney Elton stated that the sidewalk is not recorded on the final plat, the Council could make the motion to remove the sidewalk from the requirements of the subdivision. Wayne made the motion to table the sidewalk issue until the Public Works Director can make recommendations. Robin seconded the motion. All voted in favor, motion carried.

ORDINANCES AND RESOLUTIONS:

- a-b **Amending Chapter 5 – Building Standards:** Brent made the motion to approve the Ordinance amending the Chapter 5 for budding standards and the Resolution adopting new building permit and related fees. Robin seconded the motion. All voted in favor, motion carried.
- c. **Consideration of zone change for (20) acres of land for Ken Hale at approx. 490 E. Nygreen Street to go from RR-5 to RR-1.** Brent made the motion to approve the ordinance changing the proposed zone. Paul seconded the motion. All voted in favor, motion carried.
- d. **Consideration of zone change from A-10 to RR-1 on the East Side of Burmester Road to include 34.315 acres north of North Street.** Wayne made the motion to approve the zone change for the proposed zone. Brent seconded the motion. All voted in favor, motion carried.

- e. **Consideration of zone change from A-10 to RR-1 Approx. 500 N. Hale Street:** Brent made the motion to table this zone change until the issues that were brought up in the public hearing can be addressed. Attorney Elton reminded the council that zone changes do not approve development. Zone changes should be based on the general plan and the appropriateness of the zone for the area. Wayne stated that his position has not changed for zone changes in this area. Brent changed his motion to deny the zone change request from A01 to RR-1 for Josh Henwood at approx. 500 North Hale Street (the advertisement was for 350 n. Hale, this property is closer to 500 N Hale) based the request being inconsistent with the city's general plan. Paul seconded the motion. Robin stated that he would not be opposed to a RR-5 zone. All voted in favor except Robin. Motion carried.
- f. **Consideration of proposed amendment to Section 21.4.5(2) (subdivision) to increase the amount of time from fourteen (14) days to twenty-one (21) days for setting of pre-design conference following submittal of preliminary plat:** Robin made the motion to approve the amendment as proposed. Paul seconded the motion. All voted in favor, motion carried.
- g. **Consideration of proposed amendment to Chapter 16 of the Zoning Ordinance – Use table to allow storage units on the CN Zone.** Robin made the motion to approve the ordinance amendment. Paul seconded the motion all voted in favor, motion carried.

CONSIDERATION OF CONCEPT PLAN FOR (11) LOTS HALE'S ESTATES SUBDIVISION AT CORNER OF HALE AND PEAR STREETS FOR EUGENE AND BETH MARSHAL: Brent expressed his concern that the turn around at the end of the proposed street is not adequate for fire trucks to turn around. Wayne asked why the road was not going through to Quirk Street. Ryan Briggs from Ensign Engineering stated that the Marshall's are not selling the portion of the property that connects to Quirk Street. Wayne made the motion that he would like to table this development until Craig Neeley can verify that the temporary turn around on the east end of the road is adequate for the fire trucks, also if the distance from Brockbank road is in compliance with city's 650 foot limit for a dead end road. Wayne would also like a traffic study completed. Robin second the motion All voted in favor, motion carried.

CONSIDERATION OF PUD/CONCEPT FOR MAVERICK: Attorney Elton informed the council that their consideration today is not whether or not the Maverick can be placed on this property but what are the conditions of the placement. The zone allows for this use under appropriate circumstances and with reasonable conditions. Mr. Lilyquist informed the Council that Maverick is planning to install fencing on the east and north boundaries of the property. The building will be constructed to the rural western style much like the store in Heber City. He said the store will not create a nuisance to the surrounding neighbors with the lighting. The store will have the down facing lights that will not illuminate the neighbors' yards. Robin made the motion to approve the conditional use/PUD for Maverick with conditions approved by the Planning Commission and with the representation of Mr. Lylyquist. Paul seconded the motion. Robin and Paul voted in favor; Brent and Wayne voted against, Mayor Anderson voted in favor. Motion carried. Wayne asked that Maverick install a monument sign and not a lighted pole sign.

CITY RECORDER PALMER PRESENTED A NOTICE OF CERTIFICATION REGARDING THE PROPOSED ANNEXATION FOR DBC ENTERPRISES LLC, AND AUTHORIZATION TO PUBLISH AND MAIL NOTICE FOR PROPOSED ANNEXATION. Brent made a motion to authorize the City Recorder to publish and mail the notice for the proposed annexation to the required parties. Seconded by Paul. All voted in favor, motion carried.

CONSIDERATION OF SALARY INCREASES: Brent made the motion to approve the salary in crease for Alan Harris. Jeremy Kircshman, Steve Barrett. Paul seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Wayne made the motion to approve the bills and the WCD – cash disbursement Journal. Paul seconded motion. All voted in favor, motion carried. Robin made a motion to approve the purchase of new Rodeo Panels to improve the timed event cattle run back alley in the amount of \$6000. Wayne seconded the motion. All voted in favor, motion carried.

AWARD FENCING BID FOR OLD LINCOLN HIGHWAY PARK: Robin made the motion to award the fencing contract to Rocky Mountain fencing for \$33,600. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF CLAIMS: Recorder Palmer presented a claim for damages by Cindy and Brent Rowley. Cindy Rowley claims that she ran into the standpipe water spicket and would like the city to pay for the damage it did to her car in the amount of \$435.00. Brent made the motion to authorize payment of one-half of the cost of the damage, on condition that this will resolve the claim. Wayne seconded the motion. All voted in favor, motion carried.

SEWER SYSTEM CONNECTION REQUEST BY COUNTY RESIDENT: Recorder Palmer informed the Council that she has received a request to connect to the Sewer Line on Vegas and Cooley Street. Recorder Palmer stated that the property is partially in the city and partially in the County. The home is proposed to be constructed in the county. Brent made the motion to require annexation of the property before the city authorizes any connection to the sewer line. Paul seconded the motion. All voted in favor, motion carried.

SET CITY CLEAN UP DATES: Wayne made a motion to set May 5th for the City Sponsored green clean date and May 19th as the general clean date. Paul seconded the motion. All voted in favor, motion carried. Robin informed the Council that the County is holding their hazardous waste clean up on May 5th as well. Grantsville citizens can take their hazardous waste items to the Health Department on this date.

Brent and Wayne asked the opinion of the Council and Mayor if they would be ok with the tenants of the Clark Farm House doing the work on the lawns in place of the rental payment during the summer months? Paul stated that he thought that they should be responsible for more than just the lawn for the \$500 rental payment. Paul will make a list of needed maintenance items for the pre school to take care of over the summer.

Brent stated that the Fire Station is substantially complete. The last rainstorm exposed some leaks that Phil's glass is working to fix. The grand opening is still planned for April 28th. They expect to have the trucks in the bays by the 14th of April. Wayne would like to have the Main Street Beautification Committee at the next meeting to give the council an update on what they are doing.

Paul asked everyone to keep an eye on the J. Ruben Clark farm and report any suspicious activity immediately. There has been some damage.

Robin presented an acquisition that needs to be taken care of at the Rodeo Grounds. Currently the timed event cattle run back alley is mixed with the bleachers and people. The cattle need to be separated with their own alleyway. Robin made a motion to add this expense to the bills in the amount of \$6,000.00. Wayne seconded the motion. All voted in favor, motion carried.

Robin and Mayor discussed the Fire Suppression system in the new snack shack.

ADJOURNED: Robin made the motion to adjourn this council meeting at 9:55 p.m. Wayne seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor